



Order Filed on October 29,
2019 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
STERN, LAVINTHAL & FRANKENBERG, LLC
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Attorney for Secured Creditor,
Nationstar Mortgage LLC d/b/a Mr. Cooper
By Maria Cozzini, Esq.

In Re:

Evangelia Maliarakis *aka* Evangelia M Maliarakis
aka Eva Vidal *aka* Eva Maliarakis Vidal,

Debtor(s).

Case No.: 19-24000-SLM

Chapter: 13

Hearing Date:

Judge: Stacey L. Meisel

**ORDER RESOLVING MOTION TO VACATE STAY
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**

DATED: October 29, 2019

A handwritten signature in cursive script, reading "Stacey L. Meisel".
Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Evangelia Maliarakis *aka* Evangelia M Maliarakis *aka* Eva Vidal *aka* Eva Maliarakis Vidal

Case No: 19-24000-SLM

Caption: Order Resolving Motion to Vacate Stay with Conditions

Applicant:	<u>Nationstar Mortgage LLC d/b/a Mr. Cooper</u>
Applicant's Counsel:	<u>Stern Lavinthal & Frankenberg, LLC</u>
Debtor's Counsel:	<u>Scott D. Sherman, Esq.</u>
Property Involved ("Collateral"):	<u>460 Edgewater Road, Fairview, NJ</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 3 months, from August to October.
- The Debtor is overdue for 3 payments at \$1,932.66 per month.
- Less Funds held in debtor(s) suspense \$1,578.12
- Movant acknowledges receipt of \$1,932.66 after the motion was filed.

Total Arrearages Due \$2,287.20.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on November 1, 2019, regular monthly mortgage payments shall continue to be made in the amount \$1,932.66.
- Beginning on November 1, 2019, additional monthly cure payments shall be made in the amount of \$381.20 for 6 months.

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3. Payments to the Secured Creditor shall be made to the following address(es):

- ✓ Immediate payment: Nationstar Mortgage LLC
P.O. Box 619094
Dallas, TX 75261-9741

- ✓ Regular monthly payment: Nationstar Mortgage, LLC
P.O. Box 619094
Dallas, TX 75261-9741

- ✓ Monthly cure payment: Nationstar Mortgage, LLC
P.O. Box 619094
Dallas, TX 75261-9741

4. In the event of Default:

- ✓ If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.
- ☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorneys fees of \$350.00, and costs of \$181.00.
The fees and costs are payable:
 - ✓ through the Chapter 13 plan.
 - ☐ to the Secured Creditor within _____ days.

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☐ Attorneys' fees are not awarded.